**What is Copyright?**

**George Kingston**

Copyright is ”the right by law to be the entity which determines who may publish, copy and distribute a piece of writing, music, picture or other work of authorship.” (wiktionary) This means that if you create a song, written piece, dance, play, or a picture, nobody can use it without your permission. If something it “copyrighted”, you must get permission from the owner in order to use it; this frequently means paying for a specific license for use. In Canada, Copyright is governed by The Copyright Act which was most recently changed in 1998, and must continually be updated in order to appropriately apply to changing technology (like the increased use of internet file sharing, online streaming, etc. Our present law is difficult to apply to situations like P2P file sharing, or even to upgrading personal files from analogue to digital media; it is likely to be significantly overhauled during the term of this government. (Media Awareness)

A Copyright is considered to come in to being automatically as soon as a work is created, although it is recommended that an owner register their copyright with the Copyright Board of Canada; this ensures that a copyright could be upheld in a legal suit. Interestingly, it is not always the creator who is initially entitled to the copyright. For example, if a teacher writes a series of lectures which they wish later to compile into a text and to sell, they could not do so if the lectures were written in service as a part of their job. The native copyright actually belongs to the school they worked for. (In the case of student created works, the copyright belongs to the student, and teachers must obtain permission before using them in future lessons or distributed materials.) (Smale). Copyright goes out of commission automatically after a certain period, this is usually the period of the creator’s lifetime plus fifty years. In some cases when a creation is particularly lucrative, an owning entity can extend the copyright and continue to collect royalties. (Media Awareness) This usually only happens in the case of corporations and doesn’t seem to benefit anyone but them. After a work falls out of the period of protection of copyright, it becomes part of what is termed ‘Public Domain’. This means it is considered to be ‘owned’ by the public, the culture it came out of and supports. The material in the public domain is accessible to be used by the public however they want to use it.

In Canada Copyright is associated with the idea of Moral Protections. These rights are explained as follows: “Moral rights include the author's right to be associated with the work by name, or pseudonym and the right to remain anonymous, and include the author's right to the integrity of the work.” (Kerr) This means that the author of the work is allowed to choose what happens to his/her work. This means that they can choose to copyright their work or not. Interestingly, moral protections, unlike copyrights, cannot be sold or transferred, so even if a company buys the rights to distribute a musician’s work, they can never alter the name associated with the author; or release the name if the author chose to be anonymous.

Media Awareness; [http://www.media-awareness.ca/english/resources/legislation/canadian\_law/federal/copyright\_act/;](http://www.media-awareness.ca/english/resources/legislation/canadian_law/federal/copyright_act/; ) May 2008; April 20, 2009

Paul Kerr; <http://users.trytel.com/~pbkerr/copyright.html>; Feb. 2007; April 20, 2009

Bill Smale; Copyright in Canadian Schools, April 15, 2008